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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
Demos Demopoulos, Steven Goldman,	:
Michael N. Romita, John Jack Dresch and	:
Joseph LaForgia: as TRUSTEES of the	:
LOCAL 553 PENSION FUND; and as	:
TRUSTEES of the LOCAL 553 DEFERRED	:
COMPENSATION FUND,	:
	:
	:
Plaintiffs,	:
	:
-against-	:
	:
MYSTIC TANK LINES CORP.,	:
	:
Defendant.	:
-----X	

Civil Action No.  
07 CIV 9451 (DC)(MHD)  
ECF Case  
ANSWER

Defendant Mystic Tank Lines Corp. by its attorneys Robinson Brog Leinwand  
Greene Genovese & Gluck P.C., for its Answer to the Amended Complaint in this action, states  
as follows:

1. Responding to paragraph 1 of the Amended Complaint, admits that this  
Court has jurisdiction of this action, denies that it was necessary for plaintiffs to bring this action  
to enforce defendant's obligations under E.R.I.S.A., and denies liability for interest, additional  
interest, reasonable attorney's fees and costs.

2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraphs 2 through 4 of the Amended Complaint.

3. Admits the allegations of paragraphs 5 and 6 of the Amended Complaint.

4. Responding to paragraph 7 of the Amended Complaint, admits entering into a contract with Local 553 and refers the Court to said contract for the terms and meaning thereof.

5. Admits the allegations of paragraphs 8 and 9 of the Amended Complaint.

6. Responding to paragraph 10 of the Amended Complaint, repeats the admissions and denials set forth above.

7. Denies the allegations of paragraph 11 of the Amended Complaint, and specifically asserts that defendant has paid the contributions due from defendant in respect of the months of June 2007 through and including September 2007, referred to in paragraph 9 of the Amended Complaint.

8. Responding to paragraph 12 of the Amended Complaint, repeats the admissions and denials set forth above.

9. Denies the allegations of paragraph 13 of the Amended Complaint, and specifically asserts that defendant has paid the contributions due from defendant in respect of the months of June 2007 through and including September 2007, referred to in paragraph 9 of the Amended Complaint.

10. Responding to paragraph 14 of the Amended Complaint, repeats the admissions and denials set forth above.

11. Denies the allegations of paragraph 15 of the Amended Complaint, and specifically asserts that defendant has paid the contributions due from defendant in respect of the months of June 2007 through and including September 2007, referred to in paragraph 9 of the Amended Complaint.

FIRST AFFIRMATIVE DEFENSE

12. As and for a first affirmative defense, asserts payment.

SECOND AFFIRMATIVE DEFENSE

13. As and for a second affirmative defense, asserts that the Amended Complaint fails to state a claim upon which relief can be granted, in that the prayer for relief set forth in paragraphs 1 (First Claim for Relief) and 5 (Third Claim for Relief) states that the amount owing by defendant to plaintiffs is "\$0.00."

THIRD AFFIRMATIVE DEFENSE

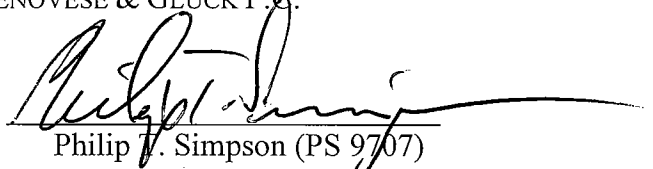
14. As and for a third affirmative defense, asserts the doctrine of waiver.

WHEREFORE, defendant prays that plaintiffs take nothing by way of their Amended Complaint, that the Amended Complaint be dismissed, that defendant recover its costs and such reasonable attorney's and disbursements as may be permitted, and for all such other and further relief as the Court finds to be just and proper.

Dated: New York, New York  
January 21, 2008

ROBINSON BROG LEINWAND GREENE  
GENOVESE & GLUCK P.C.

by:

  
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